



सत्यमेव जयते

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## EXTRAORDINARY

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

#### PART - VI

#### Acts of Parliament and Ordinances promulgated by the President

##### LEGISLATIVE AND PARLIAMENTARY AFFAIRS DEPARTMENT

Sachivalaya, Gandhinagar, 10<sup>th</sup> June, 2021.

No.RPB/Act -16/2021/E:- The following Act of Parliament is republished for general information :-

##### GOVERNMENT OF INDIA

##### MINISTRY OF LAW AND JUSTICE

##### Legislative Department

New Delhi, the 28<sup>th</sup> March, 2021, Chaitra 7, 1943 (Saka)

The following Act of Parliament has received the assent of the President on the 28<sup>th</sup> March, 2021 is hereby published for general information :-

##### MINISTRY OF LAW AND JUSTICE

##### (Legislative Department)

New Delhi, the 28<sup>th</sup> March, 2021/Chaitra 7, 1943 (Saka)

The following Act of Parliament received the assent of the President on the 28<sup>th</sup> March, 2021, and is hereby published for general information:—

#### THE MINES AND MINERALS (DEVELOPMENT AND REGULATION) AMENDMENT ACT, 2021

No. 16 OF 2021

[28<sup>th</sup> March, 2021.]

An Act further to amend the Mines and Minerals (Development and Regulation) Act, 1957.

BE it enacted by Parliament in the Seventy-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Mines and Minerals (Development and Regulation) Amendment Act, 2021.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

67 of 1957.

2. Throughout the Mines and Minerals (Development and Regulation) Act, 1957 (hereinafter referred to as the principal Act),—

(i) for the words “reconnaissance permit, prospecting license or mining lease” wherever they occur, the words “mineral concession” shall be substituted;

Substitution of references to certain expressions by certain other expressions.

(ii) for the words “prospecting licence-cum-mining lease”, wherever they occur [other than in clause (a) of section 3], the words “composite licence” shall be substituted.

Amendment  
of section 3.

**3. In section 3 of the principal Act,—**

(i) for clauses (a) and (aa), the following clauses shall be substituted, namely:—

‘(a) “composite licence” means the prospecting licence-cum-mining lease which is a two stage concession granted for the purpose of undertaking prospecting operations followed by mining operations in a seamless manner;

(aa) “dispatch” means the removal of minerals or mineral products from the leased area and includes the consumption of minerals and mineral products within such leased area;

(ab) “Government company” shall have the same meaning as assigned to it in clause (45) of section 2 of the Companies Act, 2013;

18 of 2013.

(ac) “leased area” means the area specified in the mining lease within which the mining operations can be undertaken and includes the non-mineralised area required and approved for the activities falling under the definition of “mine” as referred to in clause (i);

(ad) “minerals” includes all minerals except mineral oils;

(ae) “mineral concession” means either a reconnaissance permit, prospecting licence, mining lease, composite licence or a combination of any of these and the expression “concession” shall be construed accordingly;’;

(ii) after clause (f), the following clause shall be inserted, namely:—

‘(fa) “production” or any derivative of the word “production” means the winning or raising of mineral within the leased area for the purpose of processing or dispatch;’;

(iii) clause (ga) shall be omitted;

(iv) after clause (hb), the following clause shall be inserted, namely:—

‘(hba) “Schedule” means the Schedules appended to the Act;’;

(v) in clause (i),—

(i) for the words and figures, “the Mines Act, 1952”, the words and figures “the Occupational Safety, Health and Working Conditions Code, 2020” shall be substituted;

35 of 1952.  
37 of 2020.

(ii) the following *Explanation* shall be inserted, namely:—

“*Explanation.*—For the purposes of this clause,—

(i) a mine continues to be a mine till exhaustion of its mineable mineral reserve and a mine may have different owners during different times from the grant of first mining lease till exhaustion of such mineable mineral reserve;

(ii) the expression “mineral reserve” means the economically mineable part of a measured and indicated mineral resource.”.

Amendment  
of section 4.

**4. In section 4 of the principal Act, in sub-section (1), in the second proviso, for the words “such entity that may be notified for this purpose by the Central Government”, the words “other entities including private entities that may be notified for this purpose, subject to such conditions as may be specified by the Central Government” shall be substituted.**

Amendment  
of section 4A.

**5. In section 4A of the principal Act, in sub-section (4),—**

(i) for the words “mining operations” wherever they occur, the words “production and dispatch” shall be substituted;

(ii) for the first, second, third and fourth provisos, the following provisos shall be substituted, namely:—

“Provided that the State Government may, on an application made by the holder of such lease before it lapses and on being satisfied that it shall not be possible for the holder of the lease to undertake production and dispatch or to continue such production and dispatch for reasons beyond his control, make an order, within a period of three months from the date of receipt of such application, to extend the period of two years by a further period not exceeding one year and such extension shall not be granted for more than once during the entire period of lease:

Provided further that such lease shall lapse on failure to undertake production and dispatch or having commenced the production and dispatch fails to continue the same before the end of such extended period.”.

6. In section 5 of the principal Act, in sub-section (1), after the second proviso, the following proviso shall be inserted, namely:—

Amendment  
of section 5.

“Provided also that the composite licence or mining lease shall not be granted for an area to any person other than the Government, Government company or corporation, in respect of any minerals specified in Part B of the First Schedule where the grade of such mineral in such area is equal to or above such threshold value as may be notified by the Central Government.”.

7. In section 8 of the principal Act, after sub-section (3), the following sub-sections shall be inserted, namely:—

Amendment  
of section 8.

“(4) Notwithstanding anything contained in this section, in case of Government companies or corporations, the period of mining leases including the existing mining leases, shall be such as may be prescribed by the Central Government:

Provided that the period of mining leases, other than the mining leases granted through auction, shall be extended on payment of such additional amount as specified in the Fifth Schedule:

Provided further that the Central Government may, by notification in the Official Gazette and for reasons to be recorded in writing, amend the Fifth Schedule so as to modify the entries mentioned therein in the said Schedule with effect from such date as may be specified in the said notification.

(5) Any lessee may, where coal or lignite is used for captive purpose, sell such coal or lignite up to fifty per cent. of the total coal or lignite produced in a year after meeting the requirement of the end use plant linked with the mine in such manner as may be prescribed by the Central Government and on payment of such additional amount as specified in the Sixth Schedule:

Provided that the Central Government may, by notification in the Official Gazette and for the reasons to be recorded in writing, increase the said percentage of coal or lignite that may be sold by a Government company or corporation:

Provided further that the sale of coal shall not be allowed from the coal mines allotted to a company or corporation that has been awarded a power project on the basis of competitive bid for tariff (including Ultra Mega Power Projects):

Provided also that the Central Government may, by notification in the Official Gazette and for reasons to be recorded in writing, amend the Sixth Schedule so as to modify the entries mentioned therein with effect from such date as may be specified in the said notification.”.

Amendment  
of section 8A.

**8. In section 8A of the principal Act,—**

(a) after sub-section (7), the following sub-section shall be inserted, namely:—

“(7A) Any lessee may, where mineral is used for captive purpose, sell mineral up to fifty per cent. of the total mineral produced in a year after meeting the requirement of the end use plant linked with the mine in such manner as may be prescribed by the Central Government and on payment of such additional amount as specified in the Sixth Schedule:

Provided that the Central Government may, by notification in the Official Gazette and for the reasons to be recorded in writing, increase the said percentage of mineral that may be sold by a Government company or corporation:

Provided further that the Central Government may, by notification in the Official Gazette and for reasons to be recorded in writing, amend the Sixth Schedule so as to modify the entries mentioned therein with effect from such date as may be specified in the said notification.”;

(b) in sub-section (8), the following provisos shall be inserted, namely:—

“Provided that the period of mining leases, other than the mining leases granted through auction, shall be extended on payment of such additional amount as specified in the Fifth Schedule:

Provided further that the Central Government may, by notification in the Official Gazette and for reasons to be recorded in writing, amend the Fifth Schedule so as to modify the entries mentioned therein with effect from such date as may be specified in the said notification.

*Explanation.*—For the removal of doubts, it is hereby clarified that all such Government companies or corporations whose mining lease has been extended after the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, shall also pay such additional amount as specified in the Fifth Schedule for the mineral produced after the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021.”.

10 of 2015.

Substitution of  
new section for  
section 8B.

**9. For section 8B of the principal Act, the following section shall be substituted, namely:—**

Provisions for  
period and  
transfer of  
statutory  
clearances.

“8B. (1) Notwithstanding anything contained in this Act or any other law for the time being in force, all valid rights, approvals, clearances, licences and the like granted to a lessee in respect of a mine (other than those granted under the provisions of the Atomic Energy Act, 1962 and the rules made thereunder) shall continue to be valid even after expiry or termination of lease and such rights, approvals, clearances, licences and the like shall be transferred to, and vested; subject to the conditions provided under such laws; in the successful bidder of the mining lease selected through auction under this Act:

33 of 1962.

Provided that where on the expiry of such lease period, mining lease has not been executed pursuant to an auction under provisions of sub-section (4) of section 8A, or lease executed pursuant to such auction has been terminated within a period of one year from such auction, the State Government may, with the previous approval of the Central Government, grant lease to a Government company or corporation for a period not exceeding ten years or till selection of new lessee through auction, whichever is earlier and such Government company or corporation shall be deemed to have acquired all valid rights, approvals, clearances, licences and the like vested with the previous lessee:

Provided further that the provisions of sub-section (1) of section 6 shall not apply where such mining lease is granted to a Government company or corporation under the first proviso:

Provided also that in case of atomic minerals having grade equal to or above the threshold value, all valid rights, approvals, clearances, licences and the like in respect of expired or terminated mining leases shall be deemed to have been transferred to, and vested in the Government company or corporation that has been subsequently granted the mining lease for the said mine.

(2) Notwithstanding anything contained in any other law for the time being in force, it shall be lawful for the new lessee to continue mining operations on the land till expiry or termination of mining lease granted to it, in which mining operations were being carried out by the previous lessee.”.

**10.** In section 9B of the principal Act,—

Amendment  
of section 9B.

(i) after sub-section (3), the following proviso shall be inserted, namely:—

“Provided that the Central Government may give directions regarding composition and utilisation of fund by the District Mineral Foundation.”;

(ii) in sub-section (5), after the words and figures, “Amendment Act, 2015”, the words, brackets, figures and letter “, other than those covered under the provisions of sub-section (2) of section 10A” shall be inserted;

(iii) in sub-section (6), after the words and figures, “Amendment Act, 2015”, the words, brackets, figures and letter “and those covered under the provisions of sub-section (2) of section 10A” shall be inserted.

**11.** In section 9C of the principal Act,—

Amendment  
of section 9C.

(i) in sub-section (1), for the words “non-profit body”, the words “non-profit autonomous body” shall be substituted;

(ii) after sub-section (4), the following sub-section shall be inserted, namely:—

“(5) The entities specified and notified under sub-section (1) of section 4 shall be eligible for funding under the National Mineral Exploration Trust.”.

**12.** In section 10 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:—

Amendment  
of section 10.

“(4) Notwithstanding anything contained in this section, no person shall be eligible to make an application under this section unless—

(a) he has been selected in accordance with the procedure specified under sections 10B, 11, 11A or the rules made under section 11B;

(b) he has been selected under the Coal Mines (Special) Provisions Act, 2015; or

(c) an area has been reserved in his favour under section 17A.”.

**13.** In section 10A of the principal Act, in sub-section (2),—

Amendment of  
section 10A.

(i) in clause (b), the following provisos shall be inserted, namely:—

“Provided that for the cases covered under this clause including the pending cases, the right to obtain a prospecting licence followed by a mining lease or a mining lease, as the case may be, shall lapse on the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021:

Provided further that the holder of a reconnaissance permit or prospecting licence whose rights lapsed under the first proviso, shall be reimbursed the

expenditure incurred towards reconnaissance or prospecting operations in such manner as may be prescribed by the Central Government.”;

(ii) after clause (c), the following clause shall be inserted, namely:—

“(d) in cases where right to obtain licence or lease has lapsed under, clauses (b) and (c), such areas shall be put up for auction as per the provisions of this Act:

Provided that in respect of the minerals specified in Part B of the First Schedule where the grade of atomic mineral is equal to or greater than the threshold value, the mineral concession for such areas shall be granted in accordance with the rules made under section 11B.”.

Amendment of  
section 10B.

**14.** In section 10B of the principal Act,—

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The provisions of this section shall not apply to the,—

(a) cases falling under section 17A;

(b) minerals specified in Part A of the First Schedule;

(c) minerals specified in Part B of the First Schedule where the grade of atomic mineral is equal to or greater than such threshold value as may be notified by the Central Government from time to time; or

(d) land in respect of which the minerals do not vest in the Government.”;

(ii) in sub-section (3), the following proviso shall be inserted, namely:—

“Provided that where the State Government has not notified such area for grant of mining lease after establishment of existence of mineral contents of any mineral (whether notified mineral or otherwise), the Central Government may require the State Government to notify such area within a period to be fixed in consultation with the State Government and in cases where the notification is not issued within such period, the Central Government may notify such area for grant of mining lease after the expiry of the period so specified.”;

(iii) in sub-section (4), the following provisos shall be inserted, namely:—

“Provided that—

(a) where the State Government has not successfully completed auction for the purpose of granting a mining lease in respect of any mineral (whether notified mineral or otherwise) in such notified area; or

(b) upon completion of such auction, the mining lease or letter of intent for grant of mining lease has been terminated or lapsed for any reason whatsoever,

the Central Government may require the State Government to conduct and complete the auction or re-auction process, as the case may be, within a period to be fixed in consultation with the State Government and in cases where such auction or re-auction process is not completed within such period, the Central Government may conduct auction for grant of mining lease for such area after the expiry of the period so specified:

Provided further that upon successful completion of the auction, the Central Government shall intimate the details of the preferred bidder in the auction to the State Government and the State Government shall grant mining lease for such area to such preferred bidder in such manner as may be prescribed by the Central Government.”;

(iv) in sub-section (6), for the proviso, the following proviso shall be substituted, namely:—

“Provided that no mine shall be reserved for captive purpose in the auction.”.

**15.** Section 10C of the principal Act shall be omitted.

Omission of  
section 10C.

**16.** In section 11 of the principal Act,—

Amendment  
of section 11.

(i) for sub-section (I), the following sub-section shall be substituted, namely:—

“(I) The provisions of this section shall not apply to the,—

(a) cases falling under section 17A;

(b) minerals specified in Part A of the First Schedule;

(c) minerals specified in Part B of the First Schedule where the grade of atomic mineral is equal to or greater than such threshold value as may be notified by the Central Government from time to time; or

(d) land in respect of which the minerals do not vest in the Government.”;

(ii) in sub-section (4), the following proviso shall be inserted, namely:—

“Provided that where the State Government has not notified such area for grant of composite licence of any mineral (whether notified mineral or otherwise), the Central Government may require the State Government to notify such area within a period to be fixed in consultation with the State Government and in cases where the notification is not issued within such period, the Central Government may notify such area for grant of composite licence after the expiry of the period so specified.”;

(iii) in sub-section (5), the following provisos shall be inserted, namely:—

“Provided that—

(a) where the State Government has not successfully completed auction for the purpose of granting a composite licence in respect of any mineral (whether notified mineral or otherwise) in such notified area; or

(b) upon completion of such auction, the composite licence or letter of intent for grant of composite licence has been terminated or lapsed for any reason whatsoever,

the Central Government may require the State Government to conduct and complete the auction or re-auction process, as the case may be, within a period to be fixed in consultation with the State Government and in cases where such auction or re-auction process is not completed within such period, the Central Government may conduct auction for grant of composite licence for such area after the expiry of the period so specified:

Provided further that upon successful completion of the auction, the Central Government shall intimate the details of the preferred bidder in the auction to the State Government and the State Government shall grant composite licence for such area to such preferred bidder in such manner as may be prescribed by the Central Government.”;

(iv) for sub-section (10), the following sub-section shall be substituted, namely:—

“(10) On completion of the prospecting operations, the holder of the composite licence shall submit the result of the prospecting operations in the form of a geological report to the State Government specifying the area required



for mining lease and the State Government shall grant mining lease for such area, to the holder of the composite licence in such manner as may be prescribed by the Central Government.”.

Amendment  
of section  
12A.

**17.** In section 12A of the principal Act,—

(i) in sub-section (2),—

(a) for the words, figures and letter, “section 10B or section 11”, the words “this Act” shall be substituted;

(b) the following proviso shall be inserted, namely:—

“Provided that the transferee of mining lease shall not be required to pay the amount or transfer charges referred to in sub-section (6), as it stood prior to the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021, after such commencement but no refund shall be made of the charges already paid.”;

(ii) sub-section (6) shall be omitted.

Amendment  
of section 13.

**18.** In section 13 of the principal Act,—

(a) in sub-section (1), for the words “reconnaissance permits, prospecting licences and mining leases”, the words “mineral concession” shall be substituted;

(b) in sub-section (2),—

(i) the clauses (*qqh*) and (*qqk*) shall be omitted;

(ii) for clause (*r*), the following clauses shall be substituted, namely:—

“(r) the period of mining lease under sub-section (4) of section 8;

(s) the manner of sale of mineral by the holder of a mining lease under sub-section (5) of section 8;

(t) the manner of sale of mineral under sub-section (7A) of section 8A;

(u) the manner for reimbursement of expenditure towards reconnaissance permits or prospecting operations under the second proviso to clause (b) of sub-section (2) of section 10A;

(v) the manner of granting mining lease to the preferred bidder under the second proviso to sub-section (4) of section 10B;

(w) the manner of granting composite licence to the preferred bidder under the second proviso to sub-section (5) of section 11;

(x) the manner of granting mining lease by the State Government to the holder of the composite licence under sub-section (10) of section 11;

(y) any other matter which is to be, or may be prescribed, under this Act.”.

Amendment of  
section 17A.

**19.** In section 17A of the principal Act,—

(a) for sub-section (2A), the following shall be substituted, namely:—

“(2A) Where in exercise of the powers conferred by sub-section (1A) or sub-section (2), the Central Government or the State Government, as the case may be, reserves any area for undertaking prospecting or mining operations or prospecting operations followed by mining operations, the State Government shall grant prospecting licence, mining lease or composite licence, as the case may be, in respect of such area to such Government company or corporation within the period specified in this section:



Provided that in respect of any mineral specified in Part B of the First Schedule, the State Government shall grant the prospecting licence, mining lease or composite licence, as the case may be, only after obtaining the previous approval of the Central Government.”;

(b) in sub-section (2C),—

(i) for the words, “may be prescribed by the Central Government.”, the words “specified in the Fifth Schedule” shall be substituted;

(ii) the following shall be inserted, namely:—

“Provided that the Central Government may, by notification in the Official Gazette and for reasons to be recorded in writing, amend the Fifth Schedule so as to modify the entries mentioned therein in the said Schedule with effect from such date as may be specified in the said notification.

*Explanation.*—For the removal of doubts, it is hereby clarified that all such Government companies or corporations whose mining lease has been granted after the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, shall also pay such additional amount as specified in the Fifth Schedule for the mineral produced after the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021.”

10 of 2015.

(c) after sub-section (3), the following sub-sections shall be inserted, namely:—

“(4) The reservation made under this section shall lapse in case no mining lease is granted within a period of five years from the date of such reservation:

Provided that where the period of five years from the date of reservation has expired before the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021 or expires within a period of one year from the date of commencement of the said Act, the reservation shall lapse in case no mining lease is granted within a period of one year from the date of commencement of the said Act:

Provided further that the State Government may, on an application made by such Government company or corporation or on its own motion, and on being satisfied that it shall not be possible to grant the mining lease within the said period, make an order with reasons in writing, within a period of three months from the date of receipt of such application, to relax such period by a further period not exceeding one year:

Provided also that where the Government company or corporation in whose favour an area has been reserved under this section before the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, has commenced production from the reserved area without execution of mining lease, such Government company or corporation shall be deemed to have become lessee of the State Government from the date of commencement of mining operations and such deemed lease shall lapse upon execution of the mining lease in accordance with this sub-section or expiry of period of one year from the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021, whichever is earlier.

10 of 2015.

(5) The termination or lapse of mining lease shall result in the lapse of the reservation under this section.”.

Amendment  
of section 21.

**20.** In section 21 of the principal Act, after sub-section (6), the following *Explanation* shall be inserted, namely:—

*‘Explanation.—On and from the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021, the expression “raising, transporting or causing to raise or transport any mineral without any lawful authority” occurring in this section, shall mean raising, transporting or causing to raise or transport any mineral by a person without prospecting licence, mining lease or composite licence or in contravention of the rules made under section 23C.’.*

Amendment  
of Schedules.

**21.** After the Fourth Schedule to the principal Act, the following Schedules shall be inserted, namely:—

#### “THE FIFTH SCHEDULE

[See sections 8(4), 8A(8) and 17A(2C)]

S.No.	Mineral	Additional amount on grant or extension of mining lease
1.	Iron ore and chromite	Equivalent to one hundred and fifty per cent. of the royalty payable
2.	Copper	Equivalent to fifty per cent. of the royalty payable
3.	Coal and lignite	Equivalent to the royalty payable
4.	Other minerals (other than coal and lignite)	Equivalent to the royalty payable

*Explanation.—*For the purposes of this Schedule, the additional amount shall be in addition to royalty or payment to the District Mineral Foundation and National Mineral Exploration Trust or any other statutory payment.

#### THE SIXTH SCHEDULE

[See sections 8(5) and 8A(7A)]

(i) For non-auctioned captive mines (other than coal and lignite):

S.No.	Mineral	Additional Amount
1.	Bauxite	
	(i) Metallurgical Grade	Equivalent to one hundred and fifty per cent. of the royalty payable
	(ii) Non-Metallurgical Grade	Equivalent to the royalty payable
2.	Chromite	
	(i) Up to forty per cent. of Cr <sub>2</sub> O <sub>3</sub>	Equivalent to the royalty payable
	(ii) forty per cent. and more of Cr <sub>2</sub> O <sub>3</sub> and concentrates	Equivalent to two hundred per cent. of the royalty payable
3.	Iron ore	
	(i) Lumps, ROM and concentrates	Equivalent to two hundred and fifty per cent. of the royalty payable
	(ii) Fines	Equivalent to one hundred and fifty per cent. of the royalty payable
4.	Limestone	
	(i) L.D. Grade (less than 1.5 per cent. silica content)	Equivalent to two hundred per cent. of the royalty payable
	(ii) Other grades	Equivalent to the royalty payable

5.	Manganese	
	(i) Less than thirty-five per cent. of manganese content	Equivalent to the royalty payable
	(ii) Thirty-five per cent. and above of manganese content	Equivalent to five hundred per cent. of the royalty payable
6.	Other minerals	Equivalent to the royalty payable

(ii) For auctioned captive mines (other than coal and lignite):

S.No.	Quantity of sale	Additional Amount
1.	Sale of mineral up to twenty-five per cent. of annual production	<i>Nil</i>
2.	Sale of mineral more than twenty-five per cent. and up to fifty per cent. of annual production	Equivalent to fifty per cent. of the royalty payable

(iii) For coal and lignite:

S.No.	Type of mine	Additional Amount
1.	(i) Captive coal and lignite mines, auctioned for power sector through reverse bidding under the Coal Mines (Special Provisions) Act, 2015 (11 of 2015)	Equivalent to two hundred per cent. of the royalty payable
	(ii) Captive coal and lignite mines allocated through allotment route [other than mines covered under item no. (iv)]	Equivalent to the royalty payable
	(iii) Captive coal and lignite mines allocated through auction route [other than mines covered under item nos. (i) and (iv)]	Equivalent to the royalty payable
	(iv) For captive coal and lignite mines that were auctioned and allotted with condition allowing sale of coal up to twenty-five per cent. of annual production—	
	(a) for sale of coal up to twenty-five per cent. of annual production	Additional amount payable as per the condition mentioned in the tender document or allotment document
	(b) for sale of coal more than twenty-five per cent. and up to fifty per cent. of annual production	Fifty per cent. of the royalty payable

*Explanation.*—For the purposes of this Schedule, it is hereby clarified that—

(i) the additional amount shall be in addition to royalty or payment to the District Mineral Foundation and National Mineral Exploration Trust or any other statutory payment or payment specified in the tender document or the auction premium (wherever applicable).

(ii) *Ad valorem* royalty for the purpose of calculating the additional amount for coal and lignite shall be based on National Coal Index and Representative Price of coal excluding the taxes, levies and other charges.”.

Sd/-

**DR. G. NARAYANA RAJU,**

Secretary to the Government of India.

By order and in the name of the Governor of Gujarat,

Sd/-

**K. M. LALA,**

Secretary to Government.

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GOVERNMENT CENTRAL PRESS, GANDHINAGAR.